



U.S. Customs and
Border Protection

JUL 18 2019

DIS-3-OT:RR:FAPL
CBP-AP-2019-054732ptl

Ms. Emma Best
MuckRock News
411A Highland Avenue
DEPT MR 60320
Somerville, MA 02144

RE: Freedom of Information Act Appeal; UAV Liaison Programs;
CBP-2018-086055.

Dear Ms. Best:

This is our decision on the appeal you filed with U.S. Customs and Border Protection (CBP) through the FOIA Online portal regarding the reply you received from the CBP Freedom of Information Act (FOIA) Division to your initial FOIA request. You had asked for "memos, emails, letters and reports relating to or mentioning liaising on UAV programs between any combination of the FBI, DHS, and CBP, including but not limited to training and the loan of any UAVs such as (but not limited to) the MQ-9 Predator as described in the attached email released through FOIA." The CBP FOIA Division responded to this request stating that they had been unable to locate any responsive records. You have appealed this response stating that you appeal the integrity of the search.

Upon receipt of your appeal, our office reviewed the file created by the CBP FOIA Division when it processed your initial request. We also contacted the CBP Office of Air and Marine (OAM), which is the office responsible for operation of UAVs and asked that they perform another search for responsive records. The response we received from the OAM is that "the NASO (National Air Security Operations) does not have any record of the training mentioned in the email or anything related to FBI small UAS." The email you provided refers to events that took place over 8 years ago, and OAM asked whether you could be more specific regarding the information you have requested. Our office wrote to you on June 25th, asking if you could both narrow the time frame of the request and be more

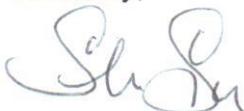
specific about the particular information you were seeking. You have not responded to this request. Accordingly, we have no alternative other than repeating the information we received from OAM that CBP has been unable to locate any responsive records for your request.

Because we have not located any CBP records responsive to your request, we are affirming the decision of the CBP FOIA Division.

In the event that you are dissatisfied with the disposition of your appeal, you may obtain judicial review of this decision pursuant to the provisions of 5 U.S.C. §552(a)(4)(B) in the United States District Court in the District in which your client resides, in the District where the agency records are situated, or in the United States District Court for the District of Columbia.

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. The mailing address and contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road (OGIS), College Park, MD 20740-6001, Phone 202-741-5770, Fax 202-741-5769, Toll Free 1-877-684-6448, www.archives.gov/ogis.

Sincerely,



Shari Suzuki, Chief
FOIA Appeals, Policy & Litigation Branch